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**IN THE UNITED STATES BANKRUPTCY COURT
District of Nevada**

In Re:

Rebecca L Nish

Debtor(s)

Case No. 09-12890-LBR
Trustee: RICK YARNALL

Chapter:13

Hearing Date: 9/30/09
Hearing Time: 10:00 am

OPPOSITION TO MOTION FOR RELIEF FILED BY Americas Servicing Co

COMES NOW Rebecca L Nish (hereinafter referred to as “debtor(s)”), by and through their attorney, Anthony J. DeLuca, Esq., and hereby oppose the Motion for Relief filed by Americas Servicing Co on the grounds set forth below.

1. On March 3, 2009, the above-named Debtor(s) filed a Voluntary Petition under Chapter13 of the Bankruptcy Code.
2. On September 2, 2009, Americas Servicing Co filed a Motion for Relief from the Automatic Stay on Debtor's property commonly known as 5536 Breecher Ave. Las Vegas, NV 89131.
3. On September 17, 2009 Debtor filed a Motion to Approve loan modification. Debtor’s loan modification will include provisions for any arrearages on Debtor’s property. Thus granting Movant’s motion for relief is inappropriate.

WHEREFORE, Debtor respectfully prays that this Honorable Court

1. Deny Movant's motion for relief.
2. Any further just and equitable relief this Court deems proper under the premises.

DATED this 29th day of January, 2009.

DELUCA & ASSOCIATES

/s/ Anthony J. DeLuca, Esq.

Attorney for Debtor(s)